



## Chapter 9: Medical Support

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### **What is a medical support order?**

A medical support order requires one or both parents to provide health insurance and requires both parents to pay a portion of medical expenses that is not covered by health insurance for their children.

### **Why is medical support important?**

Health care is becoming more and more expensive. Children need proper health care such as regular check-ups, visits to the doctor or hospital when they are sick and treatment when they have accidents. Medical support orders ensure that children are covered by health insurance and that other medical expenses are paid, so that they can receive the medical care they need to stay healthy.

### **Which parent will be ordered to provide medical support?**

Either or both parents may be ordered to provide medical support through provision of health insurance. The Court may order each parent to pay part of the out-of-pocket medical expenses.

### **Why should both parents be ordered to provide health insurance?**

When both parents enroll their children in health insurance plans, one insurer will become the primary provider, and will pay most of the medical bills. The other insurance provider will pay the amount not covered by the primary provider. In this way, most of the expenses will be paid by the insurance companies.

### **If the children are on Medicaid will the parents be ordered to provide medical support?**

Yes. Federal law requires that child support orders include medical support if the children are on public assistance, including Medicaid. When children are on Medicaid, the insurer reimburses the Medicaid agency for the expenses for medical services provided to the children.

### **Will wages be attached for medical insurance?**

Yes, if the parent is employed. Federal and state laws require a wage attachment for health insurance, unless the Court determines that there is a good reason not to issue a wage attachment.

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### **Will the wage attachment tell the employer what insurance plan to select?**

No. The parent(s) may select an insurance plan if the employer offers more than one. The employer will receive a notice telling him/her to deduct the amount of the insurance premium and send it to the insurance company.

### **Once the wage attachment for medical support is in place, may the parent/employee terminate medical insurance coverage?**

No. State law prohibits an employer from terminating coverage unless the Court order is no longer in effect, or the child is enrolled in comparable coverage that will take effect no later than the date of termination.

### **Can an employer refuse to deduct health insurance premiums or wait for an open enrollment period?**

No. An employer must obey the wage attachment for health insurance premiums and may not wait for open enrollment. He/she may be ordered to pay a fine for refusing to honor the wage attachment.

### **If the parents are not working will they be ordered to provide health insurance?**

If the parents are not employed, they may be ordered to provide health insurance if and when it becomes available.

### **What happens if my company refuses to let me enroll my child in my health insurance plan because the child does not live with me or for some other reason?**

An employer may require a certain order called a Qualified Medical Child Support Order to enroll a child under your health insurance plan. If so, the employer may have a "fill in the blank" order form that you can complete and submit to the Court. When a Court Judicial Officer signs the form, the employer will usually honor the order.